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*Counsel for Dollar Tree Stores, Inc.*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)**

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In re:	: Chapter 11
	:
CIRCUIT CITY STORES, INC., <i>et al.</i> ,	: Case No. 08-35653 (KRH)
	:
Debtors.	: (Jointly Administered)
	:
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**MOTION FOR ADMISSION *PRO HAC VICE* OF NICHOLAS B. MALITO**

William H. Schwarzschild, III (the “Movant”), a member in good standing of the bar of the Commonwealth of Virginia, a shareholder with the law firm Williams Mullen and an attorney admitted to practice before this Court, hereby moves this Court for entry of an Order permitting Nicholas B. Malito, an attorney with the law firm Hofheimer Gartlir & Gross, LLP, to appear *pro hac vice* before this Court on behalf of Dollar Tree Stores, Inc. (“Dollar Tree”) pursuant to Local Bankruptcy Rule 2090-1(E)(2). In support thereof, Movant states as follows:

1. Nicholas B. Malito is a non-resident of the Eastern District of Virginia, is a member in good standing of the bars of the State of New York, New Jersey, and Connecticut, admitted to practice before the United States District Court for the Southern and Eastern Districts of New York, and the District of New Jersey. There are no disciplinary proceedings pending against Mr. Malito.

2. Movant requests that this Court admit Nicholas B. Malito to practice before this Court for the purpose of appearing as counsel in the jointly administered Chapter 11 bankruptcy cases commenced by Circuit City Stores, Inc., *et al.* (the “Debtors”).

3. Movant and his law firm shall serve as co-counsel with Mr. Malito in the bankruptcy case and related proceedings.

4. A copy of this motion has been served upon counsel for the Debtors, counsel for the Official Committee of Unsecured Creditors, and the Office of the United States Trustee for the Eastern District of Virginia.

5. Pursuant to Local Bankruptcy Rule 9013-1(G), and because there are no novel issues of law presented in this motion, Movant requests waiver of the requirement that all motions be accompanied by written memoranda of law.

6. Pursuant to Local Bankruptcy Rule 9013-1(L), and because this motion does not present contested issues, Movant requests that the Court rule upon the motion without an oral hearing.

WHEREFORE, Movant respectfully requests that this Court enter an Order substantially in the form annexed hereto permitting Nicholas B. Malito to appear and be heard *pro hac vice* in association with Movant, as counsel to Dollar Tree, in the Debtors’ chapter 11 bankruptcy cases and grant such other relief as necessary and appropriate.

Dated: Richmond, Virginia  
November 24, 2008

**WILLIAMS MULLEN**

*/s/ William H. Schwarzschild, III*

By: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 24th day of November 2008 caused the service of a copy of the foregoing Motion for Admission *Pro Hac Vice* of Nicholas B. Malito to be sent to those on the annexed Service List, by first class mail, postage prepaid, at the address designated by them for service of papers and electronically to the parties set forth on the Court's ECF Service List, in this case.

*/s/ William H. Schwarzschild, III*

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